



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/603,743	06/26/2000	Guillermo J. Rozas	TRANS19	2346

7590 01/14/2004

Wagner Murabito & Hao LLP
Two North Market Street
Third Floor
San Jose, CA 95113

EXAMINER

KIM, KENNETH S

ART UNIT	PAPER NUMBER
----------	--------------

2111

DATE MAILED: 01/14/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

8

Office Action Summary

Applicati n N .

09/603,743

Examiner

Kenneth S KIM

Applicant(s)

ROZAS ET AL.

Art Unit

2111

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period f r Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2003 and 17 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disp sition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

KENNETH S. KIM
PRIMARY EXAMINER

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Pri rity under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2111

1. Claims 1-15 remain for examination.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the method steps of the claims must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

3. Examiner apologize for any misdirection given during the telephone interview conducted December 16, 2003, that resulted in the supplementary amendment filed December 17, 2003. Upon review of the submitted claim and the specification, examiner makes note of the following and request appropriate corrections be made in the claims.

The specification uses "generating an exception", "reporting an exception", "producing an exception", and "raising an exception". In ordinary situation and in situations like single step operation (page 13, line 21), where an exception handling routine is invoked and exception recovery is carried out immediate after the generation of an exception upon execution of the instruction, the four descriptions may be interchangeably used to indicate the whole process.

In the special circumstance of the presented invention, however, the specification attempts to make a distinction, such that only "raise an exception" is meant to invoke the exception handling routine (page 6, line 10). In numerous other locations (e.g., pages 14, 15, and 19), however, "raise an exception" is rather loosely used to imply the same meaning as the other terms.

Clarification whether the above and the following statements are true or not and correction to remedy any ambiguity in the specification is requested.

There appears to be two types of exceptions generated. One reflected in the status bits upon execution of floating point instructions, and the other raised upon execution of the special command Fbarr. Status bits indicate the exceptions generated by the floating point instruction. Fbarr test the status bits for exceptions generated and generates its own exception to roll back. Fbarr raises (upon generation; page 11, line 15) the exception to invoke the rolling back exception handling routine.

Fbarr *does not*, however, raise a floating point status exception, since it does not invoke the floating point exception handling routine. Fbarr test for *generated* floating point status exceptions, but does not test for *raised* floating point exceptions, since the floating point exceptions have been generated but not raised.

Therefore, the recited claims would require the distinction of the two types of exceptions and the association of a proper term regarding each exception.

Applicant is invited for any further discussion.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- (a) Claims 1 and 13, it appears that responding to the exception raised by the floating point instruction to roll back is inaccurate.
- (b) Claims 1, 13, and 14, the use of term "raised" in steps (a) and/or (b) appears to be incorrect. In steps (c) or (d), *again* in "again raised" should be removed, if the exception was not previously raised.

6. Applicant's arguments filed November 3, 2003 and December 17, 2003 have been fully considered but they are not persuasive.

Applicant argued that the claim limitations are clear in light of the specification.

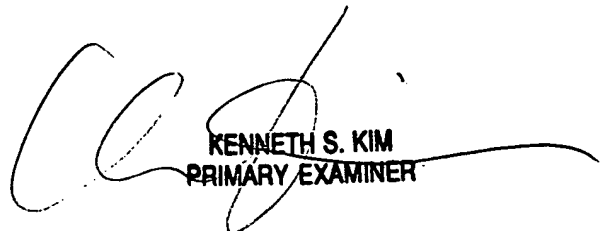
Specification may shed light on the meaning of a recited step or term to ascertain with a reasonable degree of precision and particularity area set out and circumscribed by the claim, but the specification is not a substitute for missing steps or elements nor does provide resolution of incorrect or ambiguous recitations.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth S KIM whose telephone number is (703) 305-9693. The examiner can normally be reached on M-F (8:30-17:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (703) 305-4815. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

January 13, 2004


KENNETH S. KIM
PRIMARY EXAMINER